

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

THOMAS A. FLICK,

Plaintiff,

v.

Case Number 09-14838-BC
Honorable Thomas L. Ludington

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

**ORDER ADOPTING REPORT AND RECOMMENDATION, GRANTING
DEFENDANT’S MOTION FOR SUMMARY JUDGMENT, DENYING PLAINTIFF’S
MOTION FOR SUMMARY JUDGMENT, AND DISMISSING PLAINTIFF’S
COMPLAINT WITH PREJUDICE**

United States Magistrate Judge Michael J. Hluchaniuk issued a report and recommendation [Dkt. # 26] on March 7, 2011, recommending that the Court grant Defendant’s motion for summary judgment [Dkt. # 25], deny Plaintiff’s motion for summary judgment [Dkt. # 22], and dismiss Plaintiff’s complaint with prejudice. Either party may serve and file written objections “[w]ithin fourteen days after being served with a copy” of the report and recommendations. 28 U.S.C. § 636(b)(1). The district court will make a “de novo determination of those portions of the report . . . to which objection is made.” *Id.* Where, as here, neither party objects to the report, the district court is not obligated to independently review the record. *Thomas v. Arn*, 474 U.S. 140, 149–52 (1985).

Accordingly, it is **ORDERED** that Judge Hluchaniuk’s report and recommendation [Dkt # 26] is **ADOPTED**.

It is further **ORDERED** that the Defendant's motion for summary judgment [Dkt. # 25] is **GRANTED**.

It is further **ORDERED** that Plaintiff's motion for summary judgment [Dkt. # 22] is **DENIED**.

It is further **ORDERED** that Plaintiff's complaint is **DISMISSED WITH PREJUDICE**.

s/Thomas L. Ludington
THOMAS L. LUDINGTON
United States District Judge

Dated: March 28, 2011

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on March 28, 2011.

s/Tracy A. Jacobs
TRACY A. JACOBS